

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 568 – SB 1790**

March 15, 2010

**SUMMARY OF AMENDMENT (015086):** Deletes all language after the enacting clause. Requires all written, printed, or computer-generated prescriptions for Schedule II controlled substances by podiatrists, physicians, surgeons, dentists, optometrists, osteopathic physicians, nurse practitioners, or physician assistants be written legibly, printed or computer-generated as a separate prescription order and contain all necessary information required by law. The provisions of the bill do not prevent a physician, surgeon, osteopathic physician, or optometrist from issuing a verbal prescription order. Requires any hand-written prescription to be written in letters or in numerals. The provisions of the bill do not apply to prescriptions written for inpatients or outpatients of a hospital where the authorized provider writes the order into the hospital medical record or residents of a nursing home, assisted care living facility, mental health hospital or residential facility, or any individual incarcerated in a local, state, or federal correctional facility.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – Not Significant

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Increase State Expenditures – Not Significant/Health Related Boards**

Assumptions applied to amendment:

- The Boards of Podiatric Medical Examiners, Dentistry, Medical Examiners, Optometry, Osteopathic Examiners, Nursing, and Pharmacy will make necessary rule changes during regularly scheduled meetings of each board and will not result in a significant increase in expenditures.
- Any increase in expenditures incurred by the health related boards due to disciplinary or investigative actions will not be significant.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period. The following are the balances of the boards as of June 30, 2008:
  - Podiatric Medical Examiners had a positive balance of \$20,385.18
  - Dentistry had a positive balance of \$108,709.53
  - Medical Examiners had a positive balance of \$108,302.81

- Optometry had a positive balance of \$36,248.29
- Nursing had a positive balance of \$119,142.17
- Pharmacy had a positive balance of \$261,783.99
- Osteopathic Examiners had a negative cumulative balance of \$47,354.67. The Board had positive balances of \$777.53 in FY06-07 and \$18,323.96 in FY07-08.
- The Boards' FY08-09 balances are not yet available.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/kml